REMARKS

This amendment is in response to a non-final Office action (Paper No. 4) mailed August 18, 2004. Upon entry of this amendment, claims 1-18 will be pending. Applicant has amended claim 1 by this amendment and has newly added claims 10-18 by this amendment.

Re: Claim 1

In Paper No. 4, the Examiner has rejected claim 1 under 35 U.S.C. 102 (b) as being anticipated by USP 5,283,661 to Klees. Applicant has amended claim 1 by this amendment making this rejection moot.

In Paper No. 4, the Examiner has rejected claims 2-9 under 35 U.S.C. 103 (a) as being unpatentable over Klees '661 in view of USP 5,363,204 to Millman. Applicant traverses for the following reasons:

Re: Claim 2

Re: Installation of printer driver step limitation

Regarding claim 2, Applicant claims that step (1) occurs *"when a printer driver is installed"*. In Paper No. 4, the Examiner never addresses this feature of Applicant's claim 2 in the rejection of claim 2. Applicant submits that since the Examiner never addresses this limitation, Paper No. 4 is an incomplete Office action.

Furthermore, Applicant has read the entire references to Klees '661 and Millman '204 and can not find any evidence of events occurring when a printer driver or the like is installed. Therefore, Applicant submits that the rejection of claim 2 is improper as the all elements rule for a 35 U.S.C. 103 rejection has not been honored in the rejection of claim 2 in Paper No. 4.

Re: First and second areas of memory in printer limitation

In Applicant's claim 2, Applicant claims "*a first area for storing information indicating whether the initial data was stored and a second area for recording the initial use data*". In Paper No. 4, the Examiner never addresses this feature of Applicant's claim 2 in the rejection of claim 2. Applicant submits that since the Examiner never addresses this limitation, Paper No. 4 is an incomplete Office action.

Furthermore, Applicant has read the entire references to Klees '661 and Millman '204 and can not find any evidence of a first and a second area in the printer memory where one is for storing the initial use date and the other is for indicating whether the initial use date has been stored. Therefore, Applicant submits that the rejection of claim 2 is improper as the all elements rule for a 35 U.S.C. 103 rejection has not been honored in the rejection of claim 2 in Paper No. 4.

The prior art determines whether the warranty date has been already stored or not by examining this date itself and if it is all zeros, it has not yet been stored and if not all zeros, it has been stored. Applicant's invention is different. In Applicant's invention, a separate area (the first

area) in printer memory is consulted to see if a date has been stored in the second area. In other words, Applicant consults a different area in the memory than the one that stores the initial use date to see if the initial use date has already been stored. Applicant submits that not only has the Examiner not considered this feature, but this feature is not present in the applied prior art.

Re: Dual storage feature limitation

In the fourth limitation of Applicant's claim 2, Applicant claims storing the initial use date and also storing the indication that the initial use date has been stored. Once again, in Paper No. 4, there is no evidence that the examiner considered that the indication in addition to the initial use date has been stored. Thus, Applicant submits that Paper No. 4 is incomplete. Also, Applicant submits that this limitation is not present in the applied prior art.

Re: Claims 2, 4, 5 and 6–initial use date entered by user at host limitation

In the rejection of claims 2 and 4-6 of Paper No. 4, the Examiner turns to Millman '204, in particular, FIGS. 5 and 11 of Millman '204 for a teaching of the initial use date for the printer being set by a user at a host computer. Applicant disagrees.

First of all, Applicant submits that Millman '204 never teaches or suggests that a remote host computer programs the date and time of the initial use into a printer. Instead, FIG. 11 and the discussion of FIG. 11 of Millman '204 merely only teaches that the remote (a telephone 1110) can be used to punch in a code so that a particular help topic can be printed out by a facsimile. In other

words, Millman '204 discusses that the help function can be printed from a telephone instead of

on a keypad on the fax machine. Millman '204 never teaches or suggests that programming and/or

storing an initial date or time can be entered into a memory of the FAX machine from a remote

location such as a telephone. Applicant submits that such programming from the telephone is not

only not taught by Millman '204, but would be impractical as there is no display at the telephone

for the user to interact with the FAX if the telephone were to be used to program the FAX.   The

only thing that Millman '204 teaches that can be done remotely is printing out pages from help

topics. Therefore, Applicant submits that the notion of sending an initial use date from the host

to a memory in a printer is not contemplated by either Klees '661 or Millman '204. Because the

applied prior art lacks a teaching of many of the limitations of Applicant's claim 2, the rejection

of claim 2 must be withdrawn.

Re: Claim 3

Re: First limitation

Regarding claim 3, Applicant claims in the first limitation, "displaying a first message

asking whether a year/month/date counted by an internal counter is identical to the current

year/month/date by the host if the initial date was not stored". This is where the host computer

displays the date of the internal clock of the host on a display and asks the user if this date is

correct. In Paper No. 4, the Examiner indicates that this limitation is taught by columns 3 and 4

of Klees '661 without providing any further guidance such as line numbers or step numbers.

Applicant has read these sections of Klees '661 and the rest of Klees '661 and can not find any

comparable feature in Klees '661. Therefore, Applicant traverses the rejection of this limitation.

Re: Second limitation

Regarding the second limitation of Applicant's claim 3, Applicant claims, "providing the counted year/month/date as the current year/month/date to the printer by the host upon receipt of a positive response from a user". In Paper No. 4, the Examiner states that this limitation is taught by column 5 of Millman '204. Applicant disagrees. In Millman '204, there is a blinking cursor where the user can change the date value if he wants to and/or leave the value alone if he so desires. There is no indication in Klees '661 that the currently displayed date is to be sent to another device for storage. This is not providing a date to a printer from a host as claimed by Applicant.

Regarding FIG. 5 of Millman '204, FIG. 5 illustrates one such help topic, how to set the date and time in a FAX machine. Millman '204 is not about how to set the date and time in a FAX machine, Millman '204 is about selecting and printing out help information stored in a FAX machine. Even so, the contents of FIG. 5 do not suggest in any way that the date and time of the FAX machine can be entered remotely. Further, FIG. 11 and the corresponding text of Millman '204 does not pertain to remote control programming of a FAX, but instead merely to selecting and printing out help information already stored in the FAX.

Re: Third limitation

Regarding the third limitation of claim 3, Applicant claims, "displaying a second message requesting the user to enter the current year/month/date by the host upon receipt of a negative response from the user". Again, the Examiner, in Paper No. 4 says that this limitation is taught by column 5 of Millman '204 without providing any further guidance as to exactly what line numbers, reference numbers or step numbers teach this feature. Applicant has reviewed the Millman '204 and cannot find any display requesting entry of y/m/d. Instead, in Millman '204, there is a blinking cursor where the user can change the value if he wants to and/or leave the value alone if he so desires. There is no message displayed requesting the user to enter a year/month/date in Millman '204. Further, there is no such a display at a host that ships inputted data to a printer for storage in Millman '204.

Re: Fourth limitation

Regarding the last limitation of Applicant's claim 3, Applicant claims, "providing a year/month/date received from the user as the current year/month/date to the printer by the host upon receipt of the year/month/date from the user". In Paper No. 4, the Examiner states that columns 5 and 7 of Millman '204 teaches this feature. Applicant disagrees.

Column 7 and FIG. 11 of Millman '204 indicate that user input to the FAX from a remote telephone can occur for the user to press an access number so that the appropriate help topic can be printed out at the FAX. Millman '204 never teaches programming the FAX in any way from

a remote like the telephone or entering data like a date into a memory on the FAX from a remote location. The remote is merely used to print out what is already in memory, not to enter data into memory of the FAX from a remote.

Re: Claim 7

Regarding independent claim 7, claim 7 was rejected using both Klees '661 and Millman '204. However, on Page 4 of Paper No. 4, each limitation is shown to be rejected by Millman '204 and no sections of Klees '661 are ever referred to or cited. Therefore, Applicant is confused as to whether or not Klees '661 is used to reject claim 7 in Paper No. 4.

Re: printer connected to host limitation

In Page 4 of Paper No. 4, the Examiner indicates that a computer attached to a printer is obvious by saying such a configuration is well known in the art. The Examiner also states that Applicant's installation of the printer driver feature is well known in the art and taught by FIG. 1 of Millman '204. Applicant disagrees. Applicant submits that Millman '204 never teaches installation of a printer driver. Furthermore, Millman '204 does not teach a host computer connected to a printer. Millman '204 is about a FAX machine, and Millman '204 does not pertain to other configurations. FIG. 1 of Millman '204 is a schematic of a FAX machine, not a printer connected to a host. FIG. 1 of Millman '204 does not show method steps like installation of printer drivers or sending data from memory in a printer to a computer as alleged by the Examiner on page 4 of Paper No. 4.

Re: installation of printer driver limitation

Regarding the assertion that the installation of the printer driver and the printer connected

to the host are widely known in the art, Applicant submits that these features are not being claimed

in isolation, Applicant is claiming these features during the programming of the initial use date of

the printer. In Paper No. 4, the Examiner has failed to demonstrate that installation of printer

drivers is done when the initial use date for the printer is programmed. The Examiner has shown

no nexus in the prior art of installation of a printer driver and the storing of the initial date of use

of the printer. This is important in Applicant's invention as the initial use date of the printer is

checked and programmed when the drivers for the printer are installed. This concept has not been

shown to be taught by the prior art.

Applicant further traverses the rejection of the limitations of claim 7 in that the Examiner

is relying on a reference (Millman '204) that pertains to a FAX machine for a teaching of a

computer attached to a printer. Applicant submits that the FAX machine does not have printer

drivers. Further, the FAX does not have drivers that are installed at a computer connected to it.

Further, unlike a printer, a FAX is not ordinarily connected to a computer. Because of all of these

reasons, Applicant submits that it was inappropriate for the Examiner, on page 4 of Paper No. 4

to use a reference that pertains to a stand alone FAX as a teaching of a printer connected to a

computer.

Re: determining step (fifth limitation)

Regarding Applicant's fifth limitation of claim 7, Applicant claims, "determining whether said printer has an initial date stored in said memory of said printer". On Page 4 of Paper No. 4, the Examiner says that this limitation is taught by col 7, lines 30-55 of Millman '204. Applicant disagrees. Applicant submits that this section of Millman '204 discusses FIG. 11 which does not show a printer but shows a FAX machine attached to a communications system which is connected to a telephone. This is not a printer. Further, this section of FIG. 11 in no way pertains to examining a memory to determine if something is present. Instead, this section of Millman '204 pertains to having a user type in a code which is used to identify one of many help files so that the FAX machine can print out that particular help file. This has nothing to do with date storage or determining if something is present or not in a memory.

Re: typing step (last limitation)

Regarding the last limitation of Applicant's claim 7, Applicant claims, "typing in an initial start date by a user into said computer if said initial date is absent from said memory of said printer". On page 4 of Paper No. 4, the Examiner indicates that the combination of FIGS. 5 and 11 of Millman '204 teaches this feature. Applicant disagrees.

FIG. 5 shows a print out of a help topic of how to change the date and time of the FAX machine. FIG. 11 shows a setup where the user can type in a help code remotely so that the file can be printed out from memory. Applicant submits that the remote setup of FIG. 11 of Millman

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'204 is not for changing the date or time of the FAX but instead merely to print out a help topic.

Further, there is no teaching of the limitation "if said initial date is absent from said memory of

said printer". No check is made in Millman '204 to determine if a date is in memory or not. This

is because the date and time in Millman '204 are taken off an internal clock, and it is not stored

in memory as in Applicant's invention.

Re: Claim 8

Regarding claim 8, Applicant claims, "the step of having the computer furnish said initial

date of said printer if a clock on said computer is accurate". On page 4 of Paper No. 4, the

examiner states that this feature is taught by columns 3 and 4 of Klees '661. Applicant disagrees.

Klees '661 does not pertain to a computer and a printer but only to a FAX machine.

Further, the limitation "if a clock on said computer is accurate" is not present in Klees '661. In

Klees '661, the date of the clock on the FAX is stored in memory and Klees '661 does not give the

user a chance to reject the clock's date if the user deems it is inaccurate. However, in Applicant's

invention, the user is asked if the clock on the computer is accurate or not before the date is stored.

Thus, Applicant's invention gives the user a chance to reject the clock before saving the date into

memory. This feature is not present in Klees '661.

Amendments and newly added claims

Applicant is amending claim 1 by this amendment to claim a feature not present in the applied prior art, that the initial date is transferred to the printer from a computer before storing. Applicant is newly adding claims 10-20 by this amendment to claim features not taught by the applied prior art, such as the two separate areas in the printer memory, one for the date and the other for an indicator, that the host computer is a personal computer, that both the first and second areas are updated, and that the process is done when the printer drivers are being installed. Entry of and favorable examination of these claims is respectfully requested.

No fees are incurred by the filing of this amendment.

In view of the above, all claims are submitted to be allowable and this application is believed to be in condition to be passed to issue. Reconsideration of the rejections is requested. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

Respectfully submitted,

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